In the United States District Court
for the District of Delaware

James St. Louis
plaintiff
v
Ralph Heverin, David Pierce
and Officer Bernice Williams
defendants

Civil Action
06-641 SLR

motion to
redress
issues

James St. Louis hereby petitions the Court for review of decision and complaint issued on the 14th day of December 2006.

The foregoing request is made under the following arguements.

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DISTRICT OF DELAWARE

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#1. After reading Judge Robinsons remarks petitioner realizes he did a terrible effort to explain the incidents.

A. Yes alot of actions involved in Civ. # 06-236-SLR and this complaint were the same for the below reasons.

#1 Lt. Morris and the Kitchen had their own disciplinary hearing with Lt. Morris ordering the petitioner written up, she also did the fact finding and was the final say in the disciplinary hearing ending in Termination. From start to finish she violated procedures set forth by the Kitchen policy and the prison policy.

#2 In judges #3 response it was said Ralph Henerin presided over the disciplinary hearing.

(A) petitioner wrote to Deputy Warden Pierce for an [appeal] of a disciplinary hearing and overturn of conviction and rehering. But instead of an overturn of Conviction because petitioner questioned the legality of proceedings received a 2Nd disciplinary hearing and was given further punishment and sanctions as an example of what not to question as far as constitutional rights.

#3 Petitioner knows alot of facts are duplicated, but must be to explain the procedures used to further punish petitioner for questioning policy.

If you look at petitioners letters to Deputy Warden Pierce you will see where petitioner ask for his help in releaving on injustice already done. In doing so he appointed Bernie Williams and had a Lt. look into the situation. All along petitioner told everyone this was an appeal but to no avail. And in retaliation petitioner got punished even greater for filing an appeal. A violation of his 8th Amendment right.

The petitioner is helpless in this situation and has only the courts to turn to for help. The petitioner wants the court to realize this is a daily event and that is why he asked the court for an injuction untill the state can redress this issue and bring about a system that would be fair to all inmates and make the system for appeal a fair one not a retaliation for questioning authority as in petitioners case.

#4 In Carey v Pephus 435 US 247, 98 S.Ct. 1042 it says when defendant argues procedures involving violations of constitutional rights he is entitled to damages under 1983 even if defendants is [NOT] seeking wrongful conviction. and in this case at hand petitioner is not only claiming a violation of procedures violating petitioners due process rights but also retaleation because he questioned those procedures with the added sanctions and punishments inflicted on him.

#5 The above reasons are why petitioner is asking those named along with the State of Delaware to be held liable for their inactions and actions in their professional and individual capacities.

James St. Louis
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Under Hewitt v Helms 103 S.Ct. 864 the federal regulations created a liberty interest in not being subjected to disciplinary segregation without due process of law, as done in petitioners case, it shows violation.

Certificate of Service

I hereby certify that on December 27 2006 I mailed a motion to redress with the clerk of this court. I also hereby certify that on December 27, 2006 I mailed via United States Service a copy of same document to the following participant. [Civil act # 06-682 SLR & 06-641 SLR]

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0004608975 DEC 27 2006
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